

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

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U.S. DISTRICT COURT
MID. DIST. TENN.

UNITED STATES OF AMERICA)

v.)

BRIAN SCOTT BOTTOMS)

Criminal No.3:13-00081

Judge Trauger

Motion DENIED as
MOOT.

**MOTION TO RECONSIDER DISMISSAL BASED ON SPOILIATION
OF EXCULPATORY EVIDENCE**

Now comes the Accused, Brian S. Bottoms, Pro-se', who would move the Court to reconsider it's Decision to not dismiss the Indictment based on the Destruction of exculpatory evidence.

For Cause the Defense would show:

- 1.) The Defendant upon the time of his arrest on June 4 th. 2012 asked F.B.I. Agent Wall to look at the Video Tape and to secure it in the event of charges being levied. At which point Agent Wall lied and said "There are no video cameras in the office".
- 2.) The Defendant upon his approach to window 7 had his Cell phone in hand to record the Conversation between SSA worker and himself which he had recording upon his approach to the window and asked Francis Brown if she cared if he recorded the conversation, which she replied "if you record this I'm not talking to you." At which point he turned off recording. This would have been visible to the camera because it was a flip phone and visible to the cameras upon the defendants approach to the window, and who would record a conversation with intention to harass or threaten someone?
- 3.) When DHS Agent Binkley phoned Mr. Bottoms ,the Defendant asked Mr. Binkley if he watched the video, and explained to Mr. Binkley it was a comment made to his son, not the SSA workers and that he tried to record the conversation, and that he wanted Linda Hamilton prosecuted for the Felony theft of his money, of which this fact concerning the defendants attempt to have Ms. Hamilton prosecuted has never been mentioned by any Government Actor related to this case. This was half of the reason Mr. Bottoms was at the SSA office to begin with. Which was the first crime committed in this case by Ms. Francis Brown, Misprision of a Felony, when she told the Accused we're not going to prosecute Linda Hamilton. Which the Accused possesses a letter from the SSA stating they are not going to prosecute Linda Hamilton.